

SB 5321 - H COMM AMD  
By Committee on Transportation

ADOPTED 04/08/2005

1 Strike everything after the enacting clause and insert the  
2 following:

3 "Sec. 1. RCW 46.12.370 and 2004 c 230 s 1 are each amended to read  
4 as follows:

5 In addition to any other authority which it may have, the  
6 department of licensing may furnish lists of registered and legal  
7 owners of motor vehicles only for the purposes specified in this  
8 section to:

9 (1) The manufacturers of motor vehicles, or their authorized  
10 agents, to be used to enable those manufacturers to carry out the  
11 provisions of the National Traffic and Motor Vehicle Safety Act of 1966  
12 (15 U.S.C. sec. 1382-1418), including amendments or additions thereto,  
13 respecting safety-related defects in motor vehicles;

14 (2) Any governmental agency of the United States or Canada, or  
15 political subdivisions thereof, to be used by it or by its authorized  
16 commercial agents or contractors only in connection with the  
17 enforcement of motor vehicle or traffic laws by, or programs related to  
18 traffic safety of, that government agency. Only such parts of the list  
19 as are required for completion of the work required of the agent or  
20 contractor shall be provided to such agent or contractor;

21 (3) A commercial parking company requiring the names and addresses  
22 of registered owners to notify them of outstanding parking violations.  
23 Subject to the disclosure agreement provisions of RCW 46.12.380 and the  
24 requirements of Executive Order 97-01, the department may provide only  
25 the parts of the list that are required for completion of the work  
26 required of the company;

27 (4) An authorized agent or contractor of the department, to be used  
28 only in connection with providing motor vehicle excise tax, licensing,  
29 title, and registration information to motor vehicle dealers;

1 (5) Any business regularly making loans to other persons to finance  
2 the purchase of motor vehicles, to be used to assist the person  
3 requesting the list to determine ownership of specific vehicles for the  
4 purpose of determining whether or not to provide such financing; or

5 (6) A company or its agents operating a toll facility under chapter  
6 47.46 RCW or other applicable authority requiring the names, addresses,  
7 and vehicle information of motor vehicle registered owners to identify  
8 toll violators.

9 Where both a mailing address and residence address are recorded on  
10 the vehicle record and are different, only the mailing address will be  
11 disclosed. Both addresses will be disclosed in response to requests  
12 for disclosure from law enforcement agencies or government entities  
13 with enforcement, investigative, or taxing authority and only for use  
14 in the normal course of conducting their business. The residence  
15 address may also be disclosed for use in legal proceedings or  
16 preparation for legal proceedings. Legal proceedings include, but are  
17 not limited to, lawsuits and repossessions.

18 If a list of registered and legal owners of motor vehicles is used  
19 for any purpose other than that authorized in this section, the  
20 manufacturer, governmental agency, commercial parking company,  
21 authorized agent, contractor, financial institution, toll facility  
22 operator, or their authorized agents or contractors responsible for the  
23 unauthorized disclosure or use will be denied further access to such  
24 information by the department of licensing.

25 **Sec. 2.** RCW 46.12.380 and 1995 c 254 s 10 are each amended to read  
26 as follows:

27 (1) Notwithstanding the provisions of chapter 42.17 RCW, the name  
28 or address of an individual vehicle owner shall not be released by the  
29 department, county auditor, or agency or firm authorized by the  
30 department except under the following circumstances:

31 (a) The requesting party is a business entity that requests the  
32 information for use in the course of business;

33 (b) The request is a written request that is signed by the person  
34 requesting disclosure that contains the full legal name and address of  
35 the requesting party, that specifies the purpose for which the  
36 information will be used; and

1 (c) The requesting party enters into a disclosure agreement with  
2 the department in which the party promises that the party will use the  
3 information only for the purpose stated in the request for the  
4 information; and that the party does not intend to use, or facilitate  
5 the use of, the information for the purpose of making any unsolicited  
6 business contact with a person named in the disclosed information. The  
7 term "unsolicited business contact" means a contact that is intended to  
8 result in, or promote, the sale of any goods or services to a person  
9 named in the disclosed information. The term does not apply to  
10 situations where the requesting party and such person have been  
11 involved in a business transaction prior to the date of the disclosure  
12 request and where the request is made in connection with the  
13 transaction.

14 (2) Where both a mailing address and residence address are recorded  
15 on the vehicle record and are different, only the mailing address will  
16 be disclosed. Both addresses will be disclosed in response to requests  
17 for disclosure from law enforcement agencies or government entities  
18 with enforcement, investigative, or taxing authority and only for use  
19 in the normal course of conducting their business. The residence  
20 address may also be disclosed for use in legal proceedings or  
21 preparation for legal proceedings. Legal proceedings include, but are  
22 not limited to, lawsuits and repossessions.

23 (3) The disclosing entity shall retain the request for disclosure  
24 for three years.

25 ((+3)) (4) Whenever the disclosing entity grants a request for  
26 information under this section by an attorney or private investigator,  
27 the disclosing entity shall provide notice to the vehicle owner, to  
28 whom the information applies, that the request has been granted. The  
29 notice also shall contain the name and address of the requesting party.

30 ((+4)) (5) Any person who is furnished vehicle owner information  
31 under this section shall be responsible for assuring that the  
32 information furnished is not used for a purpose contrary to the  
33 agreement between the person and the department.

34 ((+5)) (6) This section shall not apply to requests for  
35 information by governmental entities or requests that may be granted  
36 under any other provision of this title expressly authorizing the  
37 disclosure of the names or addresses of vehicle owners.

1        (~~(6)~~) (7) This section shall not apply to title history  
2 information under RCW 19.118.170."

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